

**309.086 Revocation, suspension, probation, or restriction of license, certificate, or registration -- Hearings -- Appeals.**

- (1) The board may revoke, suspend, place on probation, or restrict the license, certificate, or registration of a licensee, certificate holder, or registrant; refuse to issue or renew a license, certificate, or registration; and reprimand, admonish, or fine a licensee, certificate holder, or registrant for the following:
  - (a) Fraud or deceit in obtaining licensure, certification, or registration;
  - (b) Transferring the authority granted by the license, certificate, or registration to another person;
  - (c) Using unfair, false, misleading, or deceptive trade practices;
  - (d) Willfully or deliberately disregarding professional standards of practice or violating the code of ethics;
  - (e) Aiding and abetting a person who obtains a license, certificate, or registration fraudulently;
  - (f) Conspiring or combining with others to obtain a license, certificate, or registration to be used by an unlicensed, uncertified, or unregistered person with the intent to evade the provisions of KRS 309.080 to 309.089 and administrative regulations promulgated pursuant to those sections;
  - (g) Negligence or incompetence in complying with the applicable code of ethics and standards of practice or failure to comply with continuing education requirements;
  - (h) Violating KRS 309.080 to 309.089 and administrative regulations promulgated pursuant to those sections; or
  - (i) Being convicted of any felony or any other crime in which an element of the crime is dishonesty or fraud, under the laws of any state or the United States within the past three (3) years.
- (2) The board shall, upon the request of a licensed clinical alcohol and drug counselor, certified alcohol and drug counselor, or registered alcohol and drug peer support specialist, or an applicant for licensure, certification, or registration, hold a hearing pursuant to KRS Chapter 13B before denying an application; refusing to renew a license, certificate, or registration; suspending a license, certificate, or registration; or imposing a fine. The affected party may appeal the board's decision in the Circuit Court where the licensee, certificate holder, or registrant resides. The action of the board shall remain in effect pending any appeals unless the board rescinds or modifies its order.

**Effective:** June 24, 2015

**History:** Amended 2015 Ky. Acts ch. 29, sec. 13, effective June 24, 2015. -- Created 1996 Ky. Acts ch. 96, sec. 8, effective July 15, 1996.